First Published in The Wichita Eagle on _____

DRAFT
03-14-12

ORDINANCE NO._____

AN ORDINANCE CREATING CHAPTER 9.35 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO AIRPORTS AND REPEALING CHAPTERS 9.20 AND 9.22 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 9.35.010 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Definitions. For the purposes of this Chapter, the following words, terms and phrases shall have the meanings set forth below: (Note: words not specifically defined in this Section, which relate to aeronautical practices, processes and equipment shall be construed according to their general usage in the aviation industry, or as defined by federal laws or advisory guidance documents.)

(a) 'Abandon' means to forsake, desert, give up and surrender one's claim or right.

(b) 'Access and Identification Media' or 'I.D. Media' means any credential, card, badge, or other photo identification media issued by the Wichita Airport Authority for access and/or identification purposes. I.D. media does not include 'visitor' media issued to individuals who must be under airport approved security escort to access the Security Identification Display Area (SIDA), sterile area, or the Air Operations Area (AOA) on a limited-time or limited-use basis.

(c) ‘Aircraft’ shall mean any contrivance now known or hereafter designed, invented or used for navigation or flight in the air space, except a parachute or other contrivance used primarily as safety equipment.

(d) ‘Air Operations Area’ or ‘AOA’ means any area of the Airport identified by the Wichita Airport Authority and specified in the Airport Security Program, in which security measures specified in 49 CFR Part 1500 and amendments thereto are carried out. This includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas used or intended to be used for landing, taking-off or surface maneuvering of aircraft. Such term does not include leasehold areas within or having direct access to the AOA which are subject to security requirements imposed on a lessee or tenant under appropriate federal regulations or which are incorporated into a signed lease agreement.

(e) ‘Airport’ means the Mid-Continent Airport, Col. James Jabara Airport and any other airport owed by and under the control and jurisdiction of the Wichita Airport Authority.

(f) ‘Airport Authority’ means the Wichita Airport Authority as established by Section 2.12.1051 of the Code of the City of Wichita, Kansas.

(g) ‘Airport Motor Vehicle Parking Facility’ means any surface or enclosed facility used or intended to be used for non-exclusive (public) use of revenue producing or non-revenue producing parking of private motor vehicles on Airport property. Such term does not include leased parking facilities under a tenant lease agreement.

(h) ‘Airport Property’ means any property, facilities and improvements owned, leased and/or under the control and jurisdiction of the Wichita Airport Authority and roads and streets contained thereon.

(i) ‘Airport Police and Fire Officer’ means a person holding a State of Kansas law enforcement commission who is a member of the Airport Police and Fire Division of the City of Wichita Airport Department established pursuant to Section 2.12.1051 of the Code of the City of Wichita.

(j) ‘Airport Security Program’ or ‘ASP’ means a written program and procedures developed by the Airport Authority and approved by the Transportation Security Administration relative to the security of aircraft operations and users of the Airport and meeting the requirements of Transportation Security Regulation 1542.

(k) ‘Airport Tenant’ means any person holding an executed and current lease or license agreement with the Wichita Airport Authority for the lease of property and/or the conducting of certain specified commercial or non-commercial activities.

(l) ‘ATA’ means Air Transport Association

(m) ‘Apron’ or ‘ramp’ means that area of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.

(n) ‘Authorized’ means acting under or pursuant to a written contract, permit, authorization or other evidence of right issued by the Director of Airports.

(o) ‘City’ means the City of Wichita, Kansas.

(p) 'Code' means the Code of the City of Wichita and amendments thereto.

(q) 'Commercial' or 'Commercial activity' means:

(1) the exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind on Airport property;

(2) engaging in any conduct on Airport property for revenue-producing purposes, whether or not currency, monetary exchange or other forms of monetary instruments ultimately are exchanged, obtained, or transferred on Airport property; or

(3) the offering or exchange of any service on Airport property as a part of, or condition to, other revenue-producing activities or services on or off Airport property; or

(4) intended for the purpose of securing revenue, earnings, income, and/or compensation (including exchange for service), and/or profit, whether or not such objectives are accomplished.

(r) 'Commercial Ground Transportation Provider' means any person or entity, including its drivers, employees, and representatives, using Airport roadways or operating motor vehicles upon the Airport, in furtherance of or in connection with providing 'on-demand,' charter, or pre-arranged transportation to persons for hire.

(s) 'Commercial Passenger Terminal' means any passenger terminal facility or facilities operated for the purpose of boarding and de-boarding of commercial air travelers, including tenant, concession, security and other support

facilities including all ramps, roadways, vehicular and pedestrian circulation areas and parking facilities associated therewith.

(t) 'Common Use Area' means any area, whether leased or non-leased, used in common with, concurrent or in conjunction with and by multiple parties. Such term shall include 'non-exclusive area.'

(u) 'Control Tower', 'Air Traffic Control Tower', or 'ATCT' means the Federal Aviation Administration's control tower and terminal radar air traffic control (TRACON) facilities that provide air traffic control services to aircraft and vehicles operating on the movement areas of the Airport and overlaying airspace.

(v) 'Director' means the Director of Airports of the City of Wichita or his or her duly authorized and designated representative(s).

(w) 'Escort' means to accompany and monitor the activities and to maintain 'positive' and continuous visual and voice contact with any individual(s), under the escorting person's authority and responsibility, who do not have unescorted access authority into or within a secured area, SIDA, or AOA.

(x) 'Escort Authority' means the authority granted by the Wichita Airport Authority to a person authorized to escort individuals who do not have unescorted access authority into or within a secured area, SIDA, or AOA.

(y) 'Equipment' means motorized mobile units, other than those commonly classified as motor vehicles, which are utilized in conjunction with the servicing of aircraft or the maintenance and operation of airport facilities.

(z) ‘Event’ means activities defined by the Standard Operating Procedures of the Airport Authority as an event.

(aa) ‘Explosives’ means any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame or shock, or any device, the primary purpose of which is to function by explosion. The term ‘explosives’ includes, but is not limited to, dynamite, nitroglycerine, trinitrotoluene, ammonium nitrate when combined with other ingredients to form an explosive mixture, or other high explosives, detonators, safety fuses, squibbs, detonating cords, igniter cords and igniters. For purposes of this part explosives shall not include shotgun shells, cartridges or ammunition for firearms, or pyrotechnic devices.

(bb) ‘FAA’ means the Federal Aviation Administration.

(cc) ‘Flammable liquids’ means any liquid which emits flammable vapor as set forth in National Fire Protection Association standards, including but not limited to combustible liquids currently used as aircraft or vehicle fuel.

(dd) ‘Fueling vehicle’ means a vehicle operated for the purpose of storing and dispensing fuels.

(ee) ‘Law Enforcement Officer’ means any person holding a State of Kansas law enforcement commission or other officer vested with the power of arrest under federal or state authority.

(ff) ‘Motor vehicle’ means a device in, upon or by which a person or property may be propelled, moved, or drawn upon land, except a device moved by human or animal power and except aircraft or devices moved exclusively upon

stationary rails or tracks. The term 'vehicle' shall include taxis, cars, buses, vans, shuttles, trucks, buses, limousines and courtesy vehicles of any type or kind.

(gg) 'Movement Area' means those portions of the AOA, such as runways and taxiways, used for taxiing, takeoff, and landing of aircraft, and in which all movement of aircraft and motor vehicles and equipment are at all times under the jurisdictional control and authority of the ATCT.

(hh) 'NFPA' means National Fire Protection Association.

(ii) 'Object Free Area' or 'OFA' means an area on the ground centered on a runway or taxiway that is required by federal regulation to be free of all foreign objects, except for those objects that must be located in the OFA because of their function.

(jj) 'Operational need or necessity' is defined as law enforcement, security, emergency response, maintenance, or operations activity that requires the use of such device to perform an official function or duty.

(kk) 'Operator' means any person who is in actual physical control of an aircraft, equipment or motor vehicle.

(ll) 'Other Authorized Officer' means any non-commissioned officer and authorized representative of the Director of Airports, including Airport Services Officers, and Airport Operations Officers of the City of Wichita Airport Department.

(mm) 'Owner' means a person in whose name the legal title of an aircraft or motor vehicle is held or vested. If any aircraft or motor vehicle is the subject of a conditional sale or lease, with the right of purchase upon performance of the

conditions stated in the agreement, and with the immediate right of possession vested in the conditional vendee or lessee or anyone in possession of an aircraft or motor vehicle on the Airports, or in the event a mortgagor of an aircraft or motor vehicle is entitled to the possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of this Chapter.

(nn) 'Park' means to put, leave or let a motor vehicle or aircraft stand or stop in any location whether the operator thereof leaves or remains in such vehicle or aircraft, when such standing or stopping is not required by traffic control or conditions beyond the control of the operator.

(oo) 'Person' means any individual, firm, partnership, corporation, company, association or joint stock association, and includes any trustee, receiver, assignee or similar representative thereof.

(pp) 'Public Area' means any real estate, building or facility on Airport Property, including grounds, roadways, streets and sidewalks which are not designated as an AOA, SIDA, Secured Area, Sterile Area or Restricted Area, not leased premises, or not specifically signed as a restricted area.

(qq) 'Restricted Area' means any area of an Airport that is fenced, locked or posted by sign to prohibit or limit entry or access to only specific authorized persons.

(rr) 'Runway Hold Short Position' means the location on a taxiway where a pedestrian, pilot or operator of a motor vehicle or equipment is required by federal regulation to stop in the absence of receiving clearance onto a runway by the ATCT.

(ss) ‘Runway’ means those movement areas of the Airport designated and used for the sole and specific purpose of takeoff and landing of aircraft.

(tt) ‘Sanitary Waste’ means liquid or solid wastes originating from humans and human activities, such as wastes collected from toilets, showers, wash basins, sinks used for cleaning domestic areas, sinks used for food preparation, clothes washing operations, and sinks or washing machines where food and beverage serving dishes, glasses, and utensils are cleaned. Such term includes legally permissible waste that is intended to be routed, deposited, and transported to/through a sanitary sewer system of the City of Wichita including liquid and solid wastewater, sewage and/or industrial waste and not to which storm, surface and ground water are intentionally admitted.

(uu) ‘Screening location’ means a location or site at Mid-Continent Airport at which individuals and/or property are inspected for the presence of weapons and other prohibited items as defined by Transportation Security Regulations.

(vv) ‘Security challenge’ or ‘challenge’ means to verbally confront in a non-threatening, non-physical, and safe manner any person within the Secured Area, SIDA or Sterile Area of Airport property for the purpose of determining if such person is in possession of a current, correct and appropriately issued Access and Identification Media. Non-law enforcement personnel are not expected to place themselves or others in a dangerous or threatening situation resulting from a security challenge.

(ww) ‘Secured Area’ means that designated portion of the Mid-Continent Airport Security Identification Display Area, encompassing the ramp footprint of the commercial passenger terminal concourse(s), aircraft loading bridges, aircraft parking, and baggage loading and unloading areas.

(xx) ‘Security Identification Display Area(s)’ or “SIDA’ means that designated portion of Mid-Continent Airport property designated by the Airport Authority, in accordance with Transportation Security Regulations, in which each individual in the area is required to display on their person the identification media issued by the Airport Authority or such other form of identification as approved or required by the Airport Authority.

(yy) ‘Security Access Identification Control System’ or ‘Computer Controlled Access System (CCAS)’ means the electronic system of computer and camera monitored access media readers, PIN pads, and/or other such approved access control devices designed and used for the purpose of providing for secured access and verifying valid access authorization.

(zz) ‘Security Sensitive Information’ or ‘SSI’ means details of any security inspection or investigation of an alleged violation of aviation transportation security requirements of Federal law that could reveal security vulnerabilities, including the identity of a Federal special agent or other Federal employee who conducted the inspection or audit and specific details of aviation transportation security measures, both operational and technical, whether applied directly by the federal government, the Airport Authority, or another person, including:

(1) Records created or obtained for the purpose of training persons employed by, contracted with, or acting for the Federal government, the Airport Authority, or another person, to carry out aviation transportation security measures required or recommended by Department of Homeland Security or Department of Transportation;

(2) Any list identifying systems or assets, whether physical or virtual, so vital to the aviation transportation system that the incapacity or destruction of such assets would have a debilitating impact on transportation security.

(aaa) 'Solicit' or 'solicitation' means to directly or indirectly, actively or passively, openly or subtly, ask or endeavor to obtain by asking, requesting, imploring, pleading for or trying to obtain.

(bbb) 'Standard Operating Procedure' or 'Airport Standard Operating Procedure' means a written order, procedure or directive issued by the Director of Airports.

(ccc) 'Sterile Area' means the enclosed concourse area of the Mid-Continent Airport commercial passenger terminal building used for passenger and airline crew boarding and de-boarding of commercial aircraft, and situated at and past the passenger security screening location that is subject to Transportation Security Administration security screening.

(ddd) 'Taxilane' means any portion of the Airports authorized, designated and marked by the Airport Authority for the purpose of surface maneuvering of aircraft on portions of non-movement area aprons or ramps

between taxiways and parking which are not under the jurisdiction and control of the ATCT.

(eee) 'Taxiway' means those movement areas of the Airports designated and used for the sole and specific purpose of taxiing aircraft between aprons and runways.

(fff) 'Traffic' means pedestrians and vehicles, either singly or together, while using the Airports.

(ggg) 'TSA' means the Transportation Security Administration.

(hhh) 'Weapon' means a gun, knife, blackjack, slingshot, metal knuckles, any explosive device, or any other like instrument capable of being utilized to coerce, intimidate, slay, or injure any individual."

SECTION 2. Section 9.35.020 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Emergencies.** The Director is hereby authorized and empowered to take such action as deemed necessary when an emergency exists on any Airport property, leased or unleased, which, in the Director's judgment, presents an immediate threat to the health, security, safety or welfare of persons or property, to the operation of the Airports, or an immediate violation or potential violation of federal regulations exists or may exist if prompt and immediate action is not taken; provided, however, that in the exercise of such power the Director shall promptly notify the governmental agency(ies) having primary responsibility for the handling and resolution of such emergency, and provided further that the Director's power herein granted shall cease upon the assumption of jurisdiction

over such emergency by the governmental agency(ies) and such assumption of responsibility shall not be inconsistent with the requirements of any emergency procedure or program. No action shall knowingly be taken by the Director hereunder contrary to any regulation or order of the Federal Aviation Administration, Transportation Security Administration, or of any other Federal, State or local agency having appropriate jurisdiction."

SECTION 3. Section 9.35.030 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Violations not exclusive.** Violations of this Code are in addition to any other violation enumerated within the ordinances of the Code of the City of Wichita or Standard Operating Procedures of the Airport Authority. This Code in no way limits the penalties, actions or procedures which may be taken by the City or Airport Authority for a violation of this title, which is also a violation of any other ordinance of the City, statute of the State of Kansas or regulation of the Airport Authority. This code is intended to supplement and be consistent with all federal FAA rules and regulations. Should a conflict exist between this Code and any rules and regulations of the Federal Aviation Administration (FAA), the FAA rules and regulations shall control. "

SECTION 4. Section 9.35.040 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Enforcement.**

(a) The Chief of Police and Police Officers of the City of Wichita Police Department, Chief of Airport Police and Fire, Airport Police and

Fire Officers, and as specially authorized by this Chapter, 'other authorized officers' of the City of Wichita Airport Department, are hereby authorized to enforce violations of this Chapter.

(b) Violations of Title 11 and Title 5 of the Code of the City of Wichita occurring on Airport property may only be enforced by commissioned law enforcement officers of the City of Wichita."

SECTION 5. Section 9.35.050 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Commercial activity.**

(a) No person, unless authorized in writing by the Director or as permitted under the conditions of the *Minimum Standards for Aeronautical Activities and Services* policies, shall, in or upon any Airport property:

(1) Engage in any business or commercial activity; or

(2) Sell, offer for sale or advertise, any merchandise, food, beverage, services, products, or other service; or

(3) Sell, offer for sale or advertise, any equipment, motor vehicle, or aircraft fuel products; or

(4) Sell, offer for sale or advertise, any aircraft maintenance, parts, components, or services; or

(5) Sell, offer for sale or advertise, any business or trade, including the air or ground transportation of persons, baggage, or goods; or

(6) Install or place any coin, currency, debit or credit card operated machine for the sale, vending or provision of any merchandise, food, beverage or service of any type or kind; or

(7) Engage in any commercial aeronautical activity or services contrary to or in violation of the *Minimum Standards for Aeronautical Activities and Services* policies of Wichita Mid-Continent Airport as adopted by the Wichita Airport Authority Board on June 8, 2010, or as may be amended;

(b) The following commercial activity shall be exempt from the requirements of this Section:

(1) Building and facility maintenance services when such services are provided and conducted on tenant leasehold property, required under lease agreement, and not requiring the application and issuance of a Building Permit as required under Title 18 of City Code; or

(2) FAA authorized pilot or maintenance examiners; or

(3) Independently employed contract pilots;

(c) No person authorized by the Director to perform services or engage in commercial activity on the Airport property shall refuse to perform such services or other commercial activity when requested by any orderly person to do so, except as authorized by federal or State law or regulations."

SECTION 6. Section 9.35.055 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Commercial liability insurance**.

(a) No person shall engage in commercial activity on Airport property, whether authorized to engage in such commercial activity or not, without securing and maintaining, without interruption, a commercial liability insurance policy in the limit(s) and coverage(s) specified by the Director and naming the Wichita Airport Authority and City of Wichita as additional insureds.

(b) Proof of such insurance coverage in the form of a certificate shall be submitted to the Wichita Airport Authority.

(c) Any person required by this Section to obtain and maintain liability insurance shall, within five days of any change, cancellation or termination of such insurance, notify the Director in writing of the change or modification of insurance coverage.

(d) Insurance coverage shall not be cancelled or allowed to expire or lapse at anytime while engaged in commercial activity on Airport property."

SECTION 7. Section 9.35.060 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Solicitation, Commercial Activity, Advertisements.**

(a) No person shall:

(1) Solicit contributions of money or other articles of value, for religious, charitable, political or any other purpose, and receive money or other articles of value, whether in the form of cash,

checks, credit or debit vouchers or any other form of negotiable instrument in public areas.

(2) Conduct or participate in any speechmaking, distributing of pamphlets, books or other written or graphic materials upon Airport property, without having delivered a written application to the Director requesting authorization to do so, and received a permit for the requested activity in accordance with Airport Standard Operating Procedures so that the Director may be fully informed of the activity proposed and take adequate precautions to protect the public health, safety and order, and to assure the efficient and orderly use of Airport property for its primary purpose and function, and to assure equal opportunity for the freedom of expression of others.

(3) Conduct at or on any Airport so as to willfully deny to any person, employee or invitee on such premises, the lawful rights of such person, employee, or invitee to enter, to use the facilities, or to leave, any such public building;

(4) Distribute, exhibit or post any signs, commercial handbills, circulars, leaflets or similar material on Airport property;

(5) Deposit, distribute or discard any handbills, circulars, leaflets or similar material onto the Airports, Airport roads, rights-of-way, streets, sidewalks or other Airport property.

(b) Distribution of noncommercial handbills, circulars, leaflets or similar material may be conducted only upon Airport public roads, rights-of-way, streets or sidewalks in accordance with Standard Operating Procedures.

(c) The speech content of the activity shall not be a consideration in determining if a permit is issued."

SECTION 8. Section 9.35.070 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Commercial photography, film and recordings.**

(a) No person, unless authorized by the Director, shall take still, motion, or sound motion pictures or sound recordings of voices for commercial training, educational, promotional, advertising, entertainment, or other commercial purposes, other than news coverage, in public areas of the Commercial Passenger Terminal or other public areas of any facility under the administration of the Airport Authority.

(b) Still or motion video or 'live feed' activities are prohibited of facilities, systems, equipment or procedures that are considered by the Director to be SSI or otherwise could or may compromise the safety or security of the traveling public. "

SECTION 9. Section 9.35.080 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Lost Articles.** Any person finding lost articles on Airport property shall immediately deposit them with an authorized representative of the Airport Police

and Fire Division. Articles unclaimed by their owner within six (6) months thereafter shall be, upon request, turned over to the finder, or otherwise be lawfully disposed of, in accordance with applicable law or Standard Operating Procedures. Nothing in this paragraph shall be construed to deny the right of airport tenants to maintain, 'lost and found' services for property of their passengers, invitees or employees. Articles to which the owner or finder is not entitled to lawful possession shall be forfeited to the Airport Authority for disposal in accordance with the provisions of applicable law and procedures of the Airport Authority."

SECTION 10. Section 9.35.090 or the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Events.**

(a) No person shall hold or stage an event on Airport property without prior written permission from the Director.

(b) All pickets, protests, demonstrations, assemblies, political activity, informational leafleting or other events shall comply with all rules, regulations and Standard Operating Procedures adopted by the Director for such activities.

(c) As a condition of authorization, the Airport Authority may require reimbursement for its costs of personnel, equipment and/or supplies used in support of such activity, and may impose fair and reasonable rental rates for extended use of any space under the administration of the Authority. In determining the appropriate amount of security for an event,

the Director shall not consider the content of the applicant's speech, the measure of hostility likely to be created by the applicant's speech or the response of others who may oppose the event."

SECTION 11. Section 9.35.100 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Weapons.**

(a) No person, unless otherwise duly authorized by federal, state or local law to carry a weapon, other than law enforcement officers on duty or authorized and trained non-commissioned airport employees and authorized and permitted contractors, shall carry, transport or conceal any firearm or other weapon on Airport property. The provisions of this Section shall not prohibit the carrying of an unloaded firearm, to be transported on a commercial or general aviation aircraft, so long as the weapon is carried in and remains in a locked container.

(b) No person shall discharge any firearm on Airport property, except in the performance of official duties requiring the discharge thereof, for purposes of wildlife hazard management, training, or in the lawful defense of life or property.

(c) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 12. Section 9.35.110 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Building construction and improvement.** No person, without written authorization from the Director, shall construct or cause to be constructed any buildings or structures, including signs, utility connections or any improvements, modifications (excluding maintenance and repair of a minor nature), re-model, or additions to any such buildings or structures, or any paving, excavations, removal of soil or fill material or other improvement to Airport property."

SECTION 13. Section 9.35.120 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Payment of fees and charges.** The Director shall maintain a current schedule of fees and charges for the use of and access to any Airport property or facilities. Unless otherwise provided by agreement, no person shall use or access any Airport property or facilities, except areas open for use by the general public and used for non-commercial purposes, without the payment of the prescribed fees and charges and obtaining applicable permits and/or use or lease agreement with the Airport Authority."

SECTION 14. Section 9.35.130 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Interference with aircraft operations.** No person shall, while on Airport property or within the city limits of the City of Wichita, direct, aim, throw, shoot, launch or propel any object, light or laser in such manner as to interfere with

or endanger the safe operation of any vehicle, or of any aircraft approaching, landing at, taking off from, departing or operating to/from/upon an Airport.

Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 15. Section 9.35.140 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Airport parking facilities.**

(a) No person shall enter or use an airport motor vehicle parking facility, parking space or area, contrary to its posted or restricted use.

(b) No person shall stop, park or leave a motor vehicle unattended in any airport motor vehicle parking facility, parking space or area, without having parked the vehicle in a designated stall or area in such a manner as to not obstruct the proper movement of other vehicles in the parking facility or area or utilization by other motor vehicles of driveways or adjacent parking spaces.

(c) No person shall park or leave a motor vehicle in an airport motor vehicle parking facility, open to the public, employees or invitees, without having secured a required vehicle parking permit, vehicle parking claim check or having paid the required parking fees.

(d) No person shall remove or attempt to remove any motor vehicle from an airport motor vehicle parking facility without making payment of

the parking charge established and posted by the Airport Authority, unless authorized by the Director.

(e) No person, unless authorized by the Director, shall remove or attempt to remove a vehicle parking claim check from an airport motor vehicle parking facility claim check dispensing machine, other than as an operator or passenger of a motor vehicle entering an airport motor vehicle parking facility, in which case, such person shall remove only one (1) claim check from the dispensing machine.

(f) No person shall remove a claim check or checks from, or otherwise operate an airport motor vehicle parking facility claim check dispensing machine, for the purpose of avoiding or enabling another person to avoid payment of the charge for the use of the parking facilities.

(g) No person shall remove or attempt to remove a motor vehicle from an airport motor vehicle parking facility by presenting a claim check other than the claim check originally dispensed to the operator of such motor vehicle at the time that vehicle entered the parking facility.

(h) No person shall present a parking claim check requiring payment of fees upon exiting a motor vehicle parking facility which does not indicate an accurate record of the length of time the motor vehicle was actually within the parking facility for which the time and charges have accrued.

(i) No person, unless authorized by the Director, shall park or operate a motor vehicle on any airport motor vehicle parking facility established

or authorized for the use of persons employed at the Airport without complying with all procedures established by the Airport Authority for the control of such motor vehicle and for the use of such parking facility including payment of applicable fees and charges.

(j) No person, unless authorized by the Director, shall enter such employee parking facilities or use the transportation service provided in support thereof unless possessing and displaying a valid vehicle employee parking permit issued or approved by the Airport Authority.

(k) No person shall loan, lend, sell, or otherwise permit the use of their vehicle employee parking permit and/or decal for use of any Airport public or employee parking facility or any employee transportation service.

(l) No person, unless authorized by the Director, shall park vehicles carrying or transporting materials classified as hazardous, including biological, chemical, or physical in airport motor vehicle parking facilities unless such materials are used for the operation of the vehicle.

(m) The provisions of this Section may be enforced by any Airport Police and Fire Officer or other authorized officers of the City of Wichita Airport Department."

SECTION 16. Section 9.35.150 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Commercial ground transportation.**

(a) All persons or entities, including drivers, employees and representatives of a commercial ground transportation provider using Airport roadways or operating motor vehicles upon Airport property shall comply with all Airport rules, regulations, ordinances of the City of Wichita, and Airport Standard Operating Procedures adopted by the Airport Authority and/or the City of Wichita for such commercial ground transportation providers.

(b) The provisions of this Section may be enforced by any Airport Police and Fire Officer or other authorized officers of the Airport Authority.

(c) The Director may deny the use of the Airport to any ground transportation carrier and/or operator who violates Airport rules and regulations, ordinances of the City of Wichita or Standard Operating Procedures, who fails to pay fees and charges, or fails to make arrangements to pay fees and charges.

(d) The Director may deny the use of the Airports by any person, equipment, motor vehicle or aircraft if such use is reasonably determined to create a potential safety or security hazard. Examples of such hazards may include, but are not limited to, the transport of explosives, large quantities of combustible material, or hazardous material cargo."

SECTION 17. Section 9.35.160 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Traffic, stopping and parking of vehicles.** The Director is hereby authorized to designate such portions of the streets, roadways, and Airport property as, in his or her judgment, will be most compatible with the public interest and the use of all Airport property in regulating traffic and the stopping and parking of motor vehicles. Whenever any such zone or area is established, it shall be appropriately designated and marked by painting on the curb or roadway or by a sign, or both, and when so designated or marked it is unlawful for any person to drive, stop or park or cause or permit to be driven, stopped or parked any motor vehicle contrary to such sign or marking."

SECTION 18. Section 9.35.170 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Abandoned motor vehicles and equipment.**

(a) No person shall abandon any motor vehicle or equipment on Airport property. Airport Police and Fire Officers or other law enforcement officers are authorized to remove or cause the removal, in accordance with applicable State and local regulations, of any abandoned motor vehicle or equipment. For the purposes of this Section, any motor vehicle or equipment, except one properly parked in an airport motor vehicle parking facility, in a parking facility under the leasehold control of a tenant of the Airport Authority, or other area authorized by the Director, which shall have been left unattended for a period of forty-eight (48) hours or more shall be presumed to have been abandoned and may be considered and treated as abandoned.

(b) Excluding parking facilities under the leasehold of an airport tenant, no person shall park or store a motor vehicle or equipment in any airport motor vehicle parking facility, or other area authorized for public or employee parking by the Airport Authority, which shall have been left unattended upon the Airport for a period of thirty (30) days or more without prior notification given to the Director of Airports, his or her authorized representative, or an authorized parking management contractor.

(c) No person shall park, store or leave a motor vehicle or equipment on Airport property which is wrecked, dismantled or inoperable, without the permission of the Director.

(d) Vehicles and equipment which are subject to being towed and impounded pursuant to this subsection under conditions that do not constitute an immediate obstruction to the normal and safe movement of traffic or snow removal operations and are determined to be abandoned shall not be towed or impounded until the motor vehicle has placed on its windshield or in another prominent location a sticker or placard indicating the vehicle is in violation of this Chapter and shall be removed after forty-eight (48) hours from the time the sticker or placard was attached to the vehicle. The sticker or placard shall include such other information as the Chief of Airport Police and Fire determines is necessary.

(e) The provisions of Title 11 of this Code and State law will be complied with regarding the towing, impounding and disposition of motor vehicles towed pursuant to this Section.

(f) Equipment removed shall be disposed of in accordance with the Standard Operating Procedures and policies of the Authority.

(g) Motor vehicle removed from airport parking facilities shall be disposed of in accordance with the Standard Operating Procedures of the Authority."

SECTION 19. Section 9.35.180 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Payment to avoid prosecution. The owner or operator of any motor vehicle which is parked in violation of any of the provisions of this Chapter and to which a notice of violation has been issued by an officer authorized to enforce the provisions of this Chapter, may, within ten (10) days, pay to the Wichita Municipal Court a fine for and in full satisfaction of such violation, a sum as established by the municipal court judge. The failure of such owner or operator to make such payment within ten (10) days shall render such owner or operator subject to such additional penalties as set forth in Section 11.92.010 of the Code of the City of Wichita. "

SECTION 20. Section 9.35.190 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Authority to close airports or portions thereof. The Director may close any Airport under the ownership, jurisdiction and control of the Wichita

Airport Authority and any paved or unpaved surfaces thereon at any time and under any circumstances, whether leased or unleased, which is deemed by the Director to endanger persons or property."

SECTION 21. Section 9.35.200 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Operation of gliders, glider towing, remote control and other aeronautical devices. The release, launch or operation of remote radio controlled aircraft, balloons, hot air balloons, kites, rockets, gliders/sailplanes, unmanned aerial vehicles, and the towing of banners at or from any Airport, Airport property, or property immediately adjacent to and bordering Airport property shall not be permitted without the prior written consent of the Director."

SECTION 22. Section 9.35.210 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Aircraft jet and propeller exhaust. No aircraft shall be operated at any Airport or upon Airport property in any manner where the exhaust, jet 'blast' or propeller 'blast' may cause injury to person or persons or do damage to property. If it is impossible to operate such aircraft without compliance with the above, then the engine(s) must be shut off and the aircraft towed to the desired destination."

SECTION 23. Section 9.35.220 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Taxiing or moving aircraft. No aircraft shall be operated, including static engine run-up, at any Airport or upon Airport property unless a person

holding a valid, current and appropriate airman's certificate, or a mechanic properly trained and qualified to operate and/or taxi that particular type of aircraft shall be attending the brakes and controls."

SECTION 24. Section 9.35.230 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Helicopters. Helicopters shall not be started, operated, taxied, towed or otherwise moved on any Airport or upon Airport property with rotors turning unless there is a clear area of not less than fifty feet (50) from the outer tip of any main rotor. No helicopters shall be operated within two hundred (200) feet of any Airport or upon Airport property where unsecured light aircraft are parked. No helicopters shall be taxied on any Airport or upon Airport property by any person other than a person holding a valid, current and appropriate airman's certificate for rotary-wing aircraft."

SECTION 25. Section 9.35.240 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Crossing roads or highways. No aircraft shall be operated upon or across any public road or street on any Airport or upon Airport property under its own power without prior consent of the Director."

SECTION 26. Section 9.35.250 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Aircraft accidents and incidents.**

(a) Any person operating an aircraft involved in an accident or incident as defined by 49 CFR 830 on Airport property which results in

loss of life or injury to any person, or damage to any property, shall immediately bring to a halt such aircraft at the scene of such accident or incident, or as close thereto as possible so as to minimize the obstruction of other aircraft operations. The person operating the aircraft shall comply with all applicable Federal Aviation Administration (FAA) and National Transportation Safety Board (NTSB) notification regulations, including verbal and written directives. Unless injured, such person shall remain at the scene of the accident or incident until federal reporting requirements have been accomplished.

(b) Any person operating an aircraft involved in an accident or incident on Airport property, shall submit a report of such accident or incident to the Airport Police and Fire Division of the Airport Authority, including the names and addresses of the individuals involved, the description of the property and all aircraft involved, the registration and license number of all aircraft involved, names and addresses of any witnesses to the accident and such other information relevant to the accident upon the request of any commissioned law enforcement officer of the Wichita Police Department or Airport Police and Fire Officer. The operator of any aircraft involved in such accident or incident shall, upon request of any commissioned law enforcement officer of the Wichita Police Department or Airport Police and Fire Division, produce an airman's certificate, photo identification, aircraft registration, or other

documents relevant to such accident or the persons or property involved to any law enforcement officer investigating the same.

(c) The owner or operator of an aircraft involved in an accident or incident on Airport property shall not move such aircraft from the scene of the accident until authorized to do so by the appropriate federal agencies, law enforcement officers or Airport Police and Fire Office."

(d) The operator of an aircraft involved in an accident or incident on Airport property shall, upon request of an appropriate federal agency, law enforcement officer or Airport Police and Fire Officer, submit to a test to indicate the alcohol concentration in the blood or breathe when:

(1) The law enforcement officer is authorized under state or local law to conduct such test or to have the test conducted; and

(2) The law enforcement officer is requesting submission to the test to investigate a suspected violation of state or local law.

(e) Such test results shall be released to the Federal Aviation Administration or National Transportation Safety Board upon request.

(f) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 27. Section 9.35.260 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Removal of disabled aircraft.**

(a) Aircraft owners and/or operators involved in an accident or incident on Airport property shall be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or directed to delay or postpone such removal by the Director, an Airport Police and Fire Officer, or an authorized representative of a federal agency.

(b) When a disabled aircraft is blocking, delaying, or precluding the use of any portion of the AOA, the owner and/or operator of the aircraft shall take all reasonable actions to remove such aircraft, or make arrangements for removal as soon as directed or authorized to do so by the Director or an Airport Police and Fire Officer, and in concurrence with jurisdictional governmental agencies. In the event that removal of such disabled aircraft and parts thereof are not initiated as soon as possible, or is not progressing at a rate acceptable to the Director or his/her authorized designee, then the Airport Authority shall have the right to cause the removal of the aircraft at the sole expense and risk of the owner, and without liability to the Airport Authority."

SECTION 28. Section 9.35.270 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Denial of use.**

(a) The Director, following written notice, may deny the use of Airport property to any aircraft owner and/or operator, tenant, tenant employee, contractor, or other person who knowingly violates airport

rules, regulations and Standard Operating Procedures, fails to pay fees and charges, or fails to make arrangements to pay fees and charges.

(b) The Director may deny the use of Airport property if such use is reasonably determined to create a potential safety or security risk, hazard or a potential violation of federal regulations."

SECTION 29. Section 9.35.280 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Aircraft parking. No person shall park an aircraft or leave the same standing on a runway, taxiway, ramp and apron area, public aircraft parking and storage or operational area on any Airport property except at such places as may be identified and permitted by the Director. When parked in such permitted areas, light aircraft of less than 5,000 pounds gross takeoff weight shall be properly and correctly tethered to the ground or otherwise secured in a safe and proper manner. The main landing wheels of heavy aircraft weighing at or in excess of 5,000 pounds gross takeoff weight shall be chocked with wheel blocks or other approved devices, except in cases where, in the opinion of the Director, proven procedures may be equally effective to secure the aircraft in a safe and proper manner. Helicopters shall have braking devices and/or rotor mooring blocks applied to the rotor blades."

SECTION 30. Section 9.35.290 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Preservation of property.**

No person shall, unless authorized by the Director:

(a) Destroy, injure, deface, disturb, or tamper with any building, sign, equipment, fixture, marker, or any other structure or property on Airport property;

(b) Injure, deface, remove, destroy, or disturb the trees, flowers, shrubs, or other vegetation on Airport property;

(c) Walk, drive or park on a posted lawn or seeded area of any Airport property; or

(d) Willfully abandon any personal property on Airport property."

SECTION 31. Section 9.35.300 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Portable Storage Containers and Structures**.

(a) Unless specifically approved in writing, and under conditions specified by the Director, no person shall place, or allow to be placed, upon Airport Property, any type of portable storage container, temporary structure, trailer, mobile home, unit, box, barrel, modular structure or device which is used to store merchandise and/or equipment and supplies outside of an enclosed permanent building or structure, which does not qualify as a building or structure under Title 18 of the Code of the City of Wichita.

(b) The Director will not withhold approval of such container(s) and structure(s), for a reasonable duration of time, if such is of a temporary nature for the purpose of supporting construction, alteration or improvement activity, or other approved project."

SECTION 32. Section 9.35.310 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Interference with airport operations.**

(a) No person shall conduct any operation or engage in any activity on Airport property, nor permit the conduct of any activity, which shall materially or adversely affect the development, improvement, operation, or maintenance of the Airports or facilities thereupon.

(b) No person shall use or permit to be used in any manner any operation or activity which might interfere with the landing and take-off of aircraft from the Airports or otherwise constitute a safety or security hazard to the general public, or to tenants or the customers, agents, invitees, contractors, representatives and employees of those tenants. The Director reserves the right to enter upon any Airport property, whether leased or unleased, and cause the abatement of such interference.

(c) No person shall allow any condition on Airport property, nor permit the conduct of any activity, which shall materially or adversely affect, infringe upon, block or interrupt the operations and business activity of other airport tenants, customers, agents, invitees or employees.

(d) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 33. Section 9.35.320 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Snow and ice removal.**

(a) No person shall pile, deposit, move, remove or displace snow, snow piles, windrows or other accumulations of frozen precipitation in such a fashion or manner as to:

(1) Be no closer than twenty five feet from any security fence;

(2) Block any access gates or controls;

(3) Block or impede any taxiway or taxi lane;

(4) Impose an obstruction within the object free area (OFA) of any taxiway or taxi lane; or

(5) Infringe upon, block or interrupt the business of an airport tenant leasehold.

(b) Snow piles and accumulations requiring removal shall be stored on pre-approved/arranged paved or non-paved areas.

(c) Only FAA approved dry and liquid chemicals may be used for de-icing or snow removal on air-side paved surfaces (parking ramps, taxiways, runways), as set forth in Advisory Circular 150/5200-30, current edition, or as may be amended, *Airport Winter Operations and Safety*, Section 4-6 *Approved Chemicals,* current edition, or as may be amended.

(d) The use of snow and ice removal contractors may be authorized, with prior written approval by the Director, subject to acceptable completion of contractor employee training, maintenance of a general

liability insurance policy and other reasonable safety requirements and standards as the Airport Authority may impose. Such requirements may include, but are not limited to, securing and maintaining a general liability insurance policy in limits acceptable to the Director and naming the Wichita Airport Authority and the City of Wichita as additional insured."

SECTION 34. Section 9.35.330 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Protection of airspace.**

In the event future construction of a building, structure, or attachment thereto is planned on Airport property, or in the event of any planned modification or alteration of any present or future building or structure situated on Airport property, all persons shall comply with the notification and review requirements covered in 14 CFR Part 77 of the Federal Aviation Regulations. No person shall erect nor permit the erection of any structure or object, nor permit the growth of any tree on the Airport property which will exceed such maximum height as may be stipulated by the Airport Authority. Applicable federal, state and/or local laws, codes, regulations or directives concerning height restrictions shall govern the maximum allowed height. In the event any person fails to comply with this Section, the Director, after notice to such person, shall have the right to enter upon any Airport property and to remove the offending tree, structure or object."

SECTION 35. Section 9.35.340 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Entry to the Secured Area, Air Operations Area (AOA), Security Identification Display Area (SIDA), or Sterile Area.** No person shall enter the Secured Area, AOA, SIDA or Sterile Area of Mid-Continent Airport except:

(a) Persons who enter in accordance with security clearance pursuant to the TSA approved Airport Security Plan established or authorized by the Airport Authority; or

(b) Persons assigned duties on the Secured Area, AOA, SIDA or other restricted areas of Mid-Continent Airport bearing proper identification as approved and required herein.

(c) The provisions of this Section are enforceable by the Chief of Police, any law enforcement officer, Chief of Airport Police and Fire, Airport Police and Fire Officers and 'other authorized officers' of the Airport Authority.

(d) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 36. Section 9.35.350 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Vehicle Entry to and movement on the Secured Area, Air Operations Area (AOA), Security Identification Display Area (SIDA), or Sterile Area.**

(a) No person shall enter or operate a motor vehicle or equipment upon the Secured Area, AOA, SIDA or Sterile Area of Mid-Continent Airport except:

(1) Pursuant to the TSA approved Airport Safety Program established or authorized by the Airport Authority; and

(2) Authorized persons with assigned duties requiring the operation of motor vehicles upon the Secured Area, AOA, SIDA or other restricted areas of Mid-Continent Airport, and the motor vehicle bearing a Vehicle Ramp Permit as approved and required herein; or

(3) Authorized persons with assigned duties requiring operating motor vehicles or equipment upon the Secured Area, AOA, SIDA or other restricted areas of Mid-Continent Airport and the motor vehicle bearing a permanent company/agency name and/or logo identifying such vehicle as the property of an airport tenant or operator as approved and required herein;

(4) Authorized persons with assigned duties requiring operating motor vehicles upon the Secured Area or SIDA of Mid-Continent Airport and not operating a motor vehicle owned by and marked as an airport tenant or operator shall be subject to and shall consent to a motor vehicle security inspection prior to entering the Secured Area or SIDA;

(b) The provisions of this Section are enforceable by the Chief of Police, any law enforcement officer, Chief of Airport Police and Fire, Airport Police and Fire Officers and 'other authorized officers' of the Airport Authority."

SECTION 37. Section 9.35.360 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Use and enjoyment of airport premises.** No person(s) singly or in association with others shall by his or her conduct or by congregating with others obstruct, delay or unreasonably interfere with any other person or persons from the use and enjoyment of the Airports and its facilities or any Airport property, or seek to obstruct, delay, or unreasonably interfere with other person or persons from passage from place to place, or through entrances, exits or passageways on the Airports or Airport property."

SECTION 38. Section 9.35.370 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Sanitation.**

(a) No person shall dispose of garbage, papers, refuse, waste or other forms of trash, including grass clippings, brush and tree limbs, construction debris, cigarettes, cigars or matches on Airport property, except in receptacles provided for such purpose.

(b) No person shall dump or dispose of any fill, construction, demolition or building material or any other material on Airport property, or in any canal or drainage ditch serving the Airports, except with prior

approval of the Director, and in such area and under such conditions as are specifically designated."

SECTION 39. Section 9.35.380 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Animals.**

(a) No person, other than a person with a disability accompanied by a service animal or a trained dog used for law enforcement purposes and under the control of an authorized law enforcement officer, shall enter the Mid-Continent Airport Commercial Passenger Terminal with an animal, unless such animal is to be or has been transported by air and is kept confined in a carriage device or cage so as to be completely under control and not pose a safety risk to other persons.

(b) Except for animals that are to be or have been transported by air, or are properly confined or restrained as required under this Section, no person shall permit any animal under his or her control or custody to enter Airport property.

(c) A service animal is one that performs a function or task for a person with a disability that such person cannot personally perform. The handler is solely responsible for the care, feeding and control of the service animal.

(d) A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would

interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g.*, voice control, signals, or other effective means).

(e) A service animal may be removed from the Mid-Continent Airport Commercial Passenger Terminal if:

(1) The animal is out of control and the animal's handler does not take effective action to control it; or

(2) The animal is not housebroken.

If a service animal is excluded from the Mid-Continent Airport Commercial Passenger Terminal, the person with a disability shall be given the opportunity to participate in the service, program, or activity without having the service animal on the premises.

(f) No person, other than officials acting pursuant to proper authority for purposes of wildlife or other animal hazard management shall hunt, pursue, trap, catch, injure, or kill any animal on Airport property.

(g) No person shall ride horse-back on Airport property without prior authorization of the Director.

(h) No person shall permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate upon the sidewalks of the Airports or upon the floor of the Commercial Passenger Terminal or any other building used in common by the public on Airport property.

(i) No person shall feed or conduct any other action to encourage the habitation or congregation of birds or other wildlife on Airport property."

SECTION 40. Section 9.35.390 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Foreign objects on AOA.**

(a) The presence of foreign objects on any portion of the AOA presents a significant safety issue for aircraft, aircraft engines and persons and property. Foreign objects include natural or manmade items, trash, debris, plastic or metal items or pieces thereof, which may cause damage to aircraft engines or hulls either through intake of an engine, by reason of propeller or jet engine exhaust created by the engine, or else being wind-blown into an engine or against an aircraft hull.

(b) No person shall, either willfully or through failure to exercise due care or control, deposit, or cause to be placed or deposited on any area of the AOA, or on any leasehold area in close proximity to or adjoining the AOA, any foreign object defined in subsection (a)."

SECTION 41. Section 9.35.400 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**False reports or threats.** No person shall make any physical, verbal or written threat involving aircraft, airport facilities or operations at any Airport, or make a false report regarding the conduct of operations at or use of any Airport.

Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 42. Section 9.35.410 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Airport Access and Identification Media.**

(a) Those persons authorized to enter the Secured Area, AOA, SIDA, Sterile area or other restricted areas at Mid-Continent Airport in accordance with the provisions of this Section shall at all times possess an official access and identification media (I.D. media) issued and approved by the Airport Authority. I.D. media shall be worn and displayed conspicuously on the outer garment of the person, in plain view above the waist, unless otherwise authorized by the Airport Authority.

(b) In the event I.D. media issued by the Airport Authority is damaged, lost or stolen, the company which employs or sponsors the person to which such identification was issued shall comply with procedures established by the Airport Authority and give immediate notice of such occurrence to the Airport Police and Fire Division. A replacement I.D. media shall not be reissued until such notice is received by the Airport Police and Fire Division and either the employee or the employer has paid to the Airport Authority the established fee for the issuance of replacement airport I.D. media.

(c) All persons issued I.D media by the Airport Authority, or the company employing or sponsoring such persons, shall pay to the Airport Authority the established fee for the issuance of original, renewal or replacement airport security I.D. media. The company employing or sponsoring persons holding I.D. media shall be responsible for the immediate return of the I.D. media of any employees or sponsored persons who have separated or transferred from their employment at the Airport, or whose I.D. media has been demanded by the Airport Authority, and for paying to the Airport Authority the established fee for the failure to return the I.D. media of the employees or sponsored persons.

(d) No person issued I.D. media by the Airport Authority for the purpose of entering a Secured Area, AOA, SIDA, Sterile area or other restricted areas at Mid-Continent Airport or any other airport shall loan or transfer such I.D. media to any other person or use I.D. media for personal purposes.

(e) No person shall enter a Secured Area, AOA, SIDA, Sterile area or other restricted areas at Mid-Continent Airport or any other airport without possessing the appropriate color zone identification badge authorization for such access, unless otherwise specifically approved by the Airport Authority.

(f) No person shall enter a Secured Area, AOA, SIDA, Sterile area or other restricted areas at Mid-Continent Airport or any other airport using I.D. media issued to any other person. In the event a person is discovered

wearing the access and identification media of another person, unless such other person has previously reported that their access and identification media has been lost or stolen, both persons shall be considered to have violated the provisions of this Section.

(g) It shall be the responsibility of all persons working in a Secured Area, AOA, SIDA, Sterile area or other restricted areas at Mid-Continent Airport to ensure that all other persons with whom they come into visual contact within fifty (50) feet are properly displaying an appropriate airport access and identification media at all times, in accordance with this Section. The failure of an authorized I.D. media holder to issue proper and appropriate security challenge to persons in a Secured Area, AOA, SIDA, Sterile area or other restricted area who are not visibly displaying I.D. media shall be deemed in violation of this Section. A proper and appropriate security challenge shall be issued as defined in this Chapter. Persons found to be without current, correct and appropriate I.D. media or in an unauthorized area shall be immediately escorted from the area into a non-secured public area, and kept under visual observation until clear of the Secured Area, AOA, SIDA or Sterile area and the challenging party shall immediately notify Airport Police and Fire. When a verbal challenge is not made due to fear or concern for personal safety, the location, name (if known), employer (if known) and physical description of the person must be immediately communicated to the Airport Police and Fire Division.

(h) Airport access and identification media issued by the Authority shall at all times remain the property of the Airport Authority. The Airport Authority shall have the right to confiscate the I.D. media of any person who violates the provisions of this Section, and to demand the return of the I.D. media of all persons employed or sponsored by a company violating this Section or whose lease, permit or license agreement with the Airport Authority allowing use of the Airport has expired, been cancelled or terminated. The Authority shall have the right to demand the return of and confiscate Airport Authority issued access and identification media for any violation by any person of Transportation Security Regulations, Security Directives, or the TSA approved Airport Security Plan.

(i) The following shall be exempt from the requirements of this Section:

(1) FAA Safety Inspectors authorized to carry and exercise the authority of FAA Form 110A credentials while conducting and discharging their official duties; or

(2) Transient pilots, flight crews and cabin crews while moving in the immediate vicinity of the aircraft for which they are operating, and between the points of the aircraft and flight crew operations, flight office, airline operations office, fixed-base operation or equivalent and points immediately in-between; or

(3) Aircraft passengers while moving in the immediate vicinity of the aircraft, and between the aircraft and the terminal boarding/de-boarding points, fixed-base operation or equivalent and points immediately in-between."

SECTION 43. Section 9.35.420 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Security devices.** No unauthorized person shall remove, tamper, alter, interfere with, damage, destroy or impair a camera, lock, security mechanism or access control system of any door or gate at any Airport leading to a Secured Area, AOA, SIDA, Sterile area or other restricted area that is not within a tenant exclusive leasehold and for which the Airport Authority has direct control.

SECTION 44. Section 9.35.430 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Consent to inspection.** Any motor vehicle and the contents thereof, entering or operating upon a Secured Area, AOA, SIDA, Sterile area or other restricted area, shall be subject to inspection by law enforcement officers and other authorized officers for the purposes of determining ownership of such motor vehicle and the contents thereof, and for examining the documentation relating thereto. The operation or use of a motor vehicle by any person into, from or within the Secured Area, AOA, SIDA, Sterile area or other restricted area of the Airport shall constitute the consent of the owner, operator and/or user of such vehicle for such inspection."

SECTION 45. Section 9.35.440 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Inspections.**

(a) No person shall enter the Secured Area, AOA, SIDA, Sterile area or other restricted area of the Airport, except persons who enter pursuant to Section 9.35.410 of the Code of the City of Wichita bearing the proper identification as authorized by the TSA in the airport security program.

(b) No person entering or attempting to enter, operating upon, or departing from or attempting to depart the Secured Area, AOA, SIDA, Sterile area or other restricted area of the Airport, shall refuse to produce for inspection at the request of law enforcement officers and other authorized officers, any access and identification media, or the contents, or both, of any vehicle, bag, case, parcel, box or container of any kind in his or her possession.

(c) Where the entry into or departure from the restricted area is by means of a motor vehicle, no person shall refuse to produce for inspection, after such request, a driver's license, proof of insurance, and an Airport issued vehicle ramp permit.

(d) No person shall refuse to produce, at the request of law enforcement officers and other authorized officers any document in his or her possession relating to the ownership or possession of cargo or freight upon entering, leaving or being within the Secured Area, AOA, SIDA, Sterile area or other restricted area.

(e) No person entering or attempting to enter, operating upon, or departing from or attempting to depart the Secured Area, AOA, SIDA, Sterile area or other restricted area of the Airport shall have in their vehicle or personal possession any weapon, explosives or explosive device unless such person is a law enforcement officer or other authorized officer permitted to be in possession of such items and such items are required in the performance of official airport duties."

SECTION 46. Section 9.35.450 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Protection of leased areas.**

(a) No airport tenant under whose leased premises and control are any motor vehicle or personnel gates, doors or any other means of ingress and egress to a Secured Area, AOA, SIDA, Sterile area or other restricted area shall fail to keep the same secured or controlled at all times to prevent the access of unauthorized persons.

(b) Airport tenants shall be responsible for the control and prevention of unauthorized access through their leased premises to a Secured Area, AOA, SIDA, Sterile area or other restricted area.

(c) No airport tenant under whose control any motor vehicle or personnel gates, doors or other means of ingress or egress to or from a Secured Area, AOA, SIDA, Sterile area or other restricted area shall fail at all times to have in effect security access control procedures meeting the requirements of the Airport's security program. In no event shall tenant-

controlled keys, lock combinations, proximity cards or the like be issued or permitted to be issued to non-employees and persons without an operational need and necessity for such keys, combinations or cards.

(d) Airport tenant under whose leased premises and control are any motor vehicle or personnel gates, doors or any other means of ingress and egress to a Secured Area, AOA, SIDA, Sterile area or other restricted area shall, at all times, maintain an accurate record and accounting of persons to whom keys, lock combinations, proximity cards or the like have been issued. Upon the demand of a Police and Fire Officer or other authorized officer of the Airport Authority, such airports tenants shall provide reasonable documented proof of compliance with this subsection."

SECTION 47. Section 9.35.460 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Security Sensitive Information.**

(a) No person, who has obtained details of an account of airplane piracy as a consequence of their official duties, shall divulge such information to persons other than those with an operational need and necessity to know, including:

(1) Information about the incident or efforts to resolve the incident, the disclosure of which may jeopardize the safety of persons involved;

(2) Information identified by officials of an agency of the U.S. Government as techniques and procedures used for resolving acts

of airplane piracy and interference with aviation operations, the disclosure of which is likely to jeopardize the safety of international civil aviation.

(b) No person, who may have knowledge, information or documentation of information defined as SSI herein, or as defined by TSR 1520.5, may knowingly share, convey, transfer, distribute, or transmit such information to persons without proper security clearance and without an operational need and necessity to possess such information.

(c) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 48. Section 9.35.470 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Storage of property.**

(a) Unless otherwise provided in a lease or other written agreement or permit, no person shall use any area of the Airports for storage of cargo, aircraft, vehicles, motor vehicles, mobile equipment, boats, recreational vehicles, campers, motorcycles, all terrain vehicles, or other property without prior permission of the Director. If persons using such areas for storage without first obtaining permission, the Authority shall have such property removed from Airport property and stored at the expense of the owner or consignee thereof.

(b) No person shall load cargo on or unload cargo from an aircraft, other than in designated areas established by the Director, or in areas contained within an established leasehold for such activity."

SECTION 49. Section 9.35.480 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Handling and disposal of sanitary waste from Aircraft.

(a) Sanitary waste removed from an aircraft shall be securely enclosed or covered while being transported to a legally permitted facility designed and designated for emptying and processing of such waste.

(b) The sanitary waste accumulated in the fixed waste retention tank on an aircraft shall be discharged through a flexible hose, with a watertight connection to a portable water-tight tank to avoid contamination of the surrounding area. Flushing of the retention tank shall not be accomplished by direct connection to any potable water distribution system.

(c) All connections in an aircraft sanitary waste discharge line or sanitary tank servicing equipment shall be equipped with positive seals to prevent spillage.

(d) All sanitary waste shall be properly disposed of in accordance with Federal, State, and local laws, codes and regulations. Sanitary waste shall not be disposed of or introduced into any sanitary or storm water system of the Airport, or onto Airport property including interior or exterior drains or plumbing fixtures or receptacles except in a manner approved by

the Airport Authority and meeting the requirements of all Federal, State, and local environmental and health codes."

SECTION 50. Section 9.35.490 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Smoking and other sources of open flame. Smoking or carrying of cigarettes, cigars, pipes, striking of matches, operation of open flame lighters or other sources of open flame or ignition is prohibited:

(a) Within 100 feet of any aircraft; and

(b) Within 100 feet of any fuel storage facility, fuel storage tank, refueling vehicle, refueling station or Wichita Airport Authority owned storage building, facility or location containing flammable liquids or gasses; and

(c) Within 100 feet of the site of any flammable liquid spill; and

(d) On any aircraft parking ramp."

SECTION 51. Section 9.35.500 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Open-flame operations. No person shall conduct an open-flame operation in any area on Airport property, including but not limited to cutting, welding or other maintenance or construction activity, unless specifically permitted by the Airport Police and Fire Division. Any such activities, if authorized, shall be conducted in strict accordance with NFPA standards, and Standard Operating Procedures."

SECTION 52. Section 9.35.510 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Storage of material.

(a) No person shall keep, store or maintain material or equipment in such type or manner as to constitute a fire hazard or be in violation of applicable State and municipal fire codes, NFPA standards or the Standard Operating Procedures.

(b) All storage material in buildings shall be arranged in height not to extend above the lower or bottom cord of roof trusses and shall not be closer than eighteen (18) inches below sprinkler heads. Storage areas shall provide aisles adequate for passage of fire department personnel and equipment throughout the area and between such storage areas and all outside walls."

SECTION 53. Section 9.35.520 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Storage, handling, and records of hazardous material.

(a) No person shall keep, store or maintain any flammable liquids, gases, explosives, signal flares, pyrotechnics, or other hazardous material on Airport property, except in containers and receptacles, and in structures or areas, specifically approved for such storage, in compliance with the requirements of NFPA standards, Federal Aviation Regulation, and federal, state and local fire and environmental codes.

(b) No person shall keep, store or maintain any hazardous material, including but not limited to, flammable liquids, gasses, explosives, signal flares, or pyrotechnics, in quantities greater than ten (10) gallons, or thirty (30) pounds without notifying the Airport Police and Fire Division and

identifying the type, quantity, location and container marking/identification of such material. Hazardous materials defined as 'acutely' hazardous, regardless of quantity or volume shall be reported.

(c) Notification shall be made to the Airport Police and Fire Division no later than fourteen (14) days following any addition of material quantity, change in material type, or change of material location.

(d) The Director or his authorized designee(s) shall have the right to enter upon any Airport property, whether leased or unleased, for the purpose of inspecting and verifying the type, quantity and location of hazardous materials."

SECTION 54. Section 9.35.530 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Cleaning fluids.

(a) No person shall use flammable substances for cleaning hangars or other buildings on Airport property.

(b) No person shall store flammable cleaning fluids on Airport property, except in containers with dispensing devices approved by NFPA standards and applicable federal, state and local fire and environmental codes.

(c) No person shall transport flammable cleaning fluids on Airport property except in safety containers approved by NFPA standards and applicable federal, state and local fire and environmental codes."

SECTION 55. Section 9.35.540 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Leasehold cleanliness. All Airport tenants shall keep all interior and exterior areas of the premises leased or used by them clean and free of oil, grease, and other flammable material. The floors of hangars and other buildings shall be kept clean and continuously kept free of rags, waste material or other flammable trash or debris."

SECTION 56. Section 9.35.550 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Operating aircraft engines in hangars. No person shall start or operate an aircraft engine, including on-board auxiliary power units (APU's), inside any hangar, other than the short duration starter rotation of jet engines without ignition."

SECTION 57. Section 9.35.560 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Classified Explosives, corrosives, poisons, compressed gases, and radiological materials.

(a) No person shall store, keep, maintain, handle, use, dispense or transport at, to or from an Airport, any Class A explosive (as defined by the 'Hazardous Material Regulation of the Department of Transportation') without the prior approval of the Director.

(b) No person shall store, keep, maintain, handle, use, dispense or transport at, to or from the Airports any Class B or Class C explosive,

Class A poison, or red label materials (as defined by the 'Hazardous Material Regulation of the Department of Transportation') in a manner other than in conformity with the applicable regulations of the Air Transport Association of America, the International Air Transport Association, the United States Department of Transportation, and the recommendations of the National Fire Protection Association.

(c) Other than for purposes approved by Federal Aviation Regulations (FARs), no person shall carry a compressed air or gas tank aboard a commercial aircraft, unless such tank is reduced to zero pressure, or is an integral component of the aircraft system."

SECTION 58. Section 9.35.570 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Fueling and defueling.

(a) No person shall fuel or defuel an aircraft while an engine of such aircraft is running. Fueling or defueling of an aircraft is not prohibited during aircraft APU operations, or when an operating jet engine is mounted at the rear of the aircraft or on the wing on the side opposite the fueling point. A single engine may be operated to provide aircraft electrical power during fueling, provided such operations are conducted in accordance with the aircraft manufacturer's recommended procedures manual, are not contrary to the manufacturer's published aircraft limitations, and are not in violation of NFPA or ATA standards.

(b) All handling, maintenance and storing of hazardous substances and materials by commercial fuel service providers, who provide fuel services to commercial airlines on Mid-Continent Airport, shall comply with the requirements of 14 CFR Part 139, Sub Part 321 as currently published, or as may be amended, changed, revised, and promulgated by the Federal Aviation Administration, the procedures for which is specifically set forth under the approved Airport Certification Manual, and ATA Spec 103 as currently published or as may be amended, changed or revised.

(c) In accordance with NFPA standards, no person shall place into operation any electrical appliance within fifty (50) feet of an aircraft when the aircraft is being fueled or defueled.

(d) No aircraft shall be fueled or defueled unless the aircraft and the fuel dispensing apparatus shall both be electrically grounded or bonded as required by FAR and NFPA standards.

(e) When a fuel spill of any quantity occurs, fueling operations shall immediately cease and the Airport Police and Fire Division shall be notified immediately, and if necessary and practical, shut-off valves shall be shut down. If the engine of the fueling vehicle is running at the time of the fuel spill, the vehicle shall be removed from the area unless contrary orders are issued by the senior Airport Police and Fire Officer at the scene. If the engine of a fueling vehicle is shut down at the time of the fuel spill, it shall remain shut down unless a fire has already started or until the senior Airport Police and Fire Officer at the scene authorizes or orders the

vehicle moved. In no event shall fueling or defueling operations resume following a fuel spill until all areas upon which fuel has spilled or flowed over are contained and removed, and the senior Airport Police and Fire Officer at the spill site has issued an order permitting the resumption of fueling operations. The fueling agent or owner of the mobile fueling vehicle or static fueling device involved in an accidental fuel release shall be responsible for all costs associated with the clean-up, removal, remediation and lawful disposal of fuel, soils and absorbent material as required by state or federal law.

(f) No passenger shall be permitted in any aircraft during fueling or defueling, unless a cabin attendant is present at or near the cabin door and a passenger boarding ramp or bridge is in place at the cabin door, and in accordance with ATA and NFPA standards.

(g) No person shall use any material within fifty (50) feet of the nearest point of an aircraft during fueling or defueling of the aircraft which may cause a static spark.

(h) No person shall engage in aircraft fueling and defueling operations without adequate fire extinguisher devices as recommended by NFPA and as required by FARs.

(i) No person shall start the engine of any aircraft when there is flammable liquid on the ground in the vicinity of such aircraft.

(j) No person shall fuel or defuel an aircraft with fueling hoses and other equipment or apparatus which are not in safe and serviceable condition in accordance with NFPA standards and FARs.

(k) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a positive grounding device in good order to prevent ignition of flammable liquids due to static spark.

(l) The fueling and defueling of aircraft shall be conducted at a distance of no less than fifty (50) feet from any building or structure unless at the commercial passenger terminal building aircraft loading/unloading gate, or fifty (50) feet from any combustion or ventilation air intake to any boiler, heater, or incinerator room in accordance with NFPA standards.

(m) Maintenance and testing of fuel storage, distribution and delivery systems shall be conducted under controlled conditions, in strict compliance with NFPA 410(C) or subsequent replacement publications.

(n) Refueling vehicles shall be stored and maintained outdoors in areas authorized by the Airport Authority, except for minor adjustments or repairs necessary to move such units to the storage area. No fuel trucks, empty or otherwise, shall be brought into, kept or stored within any building or enclosed structure at an airport, unless with prior notification and under such conditions as approved by the Airport Police and Fire Division.

(o) If a fire occurs in or near a fuel delivery device while servicing an aircraft, the Airport Police and Fire Division shall be notified immediately, fueling shall be discontinued immediately, emergency valves shall be shut down at once and the fueling vehicles and equipment shall immediately be removed from the vicinity of the aircraft unless deemed unsafe to do so. Persons on board the aircraft shall be evacuated and other equipment removed from the area unless deemed unsafe to do so. Unless deemed unsafe to do so, the aircraft shall be towed to a position at a safe distance from structures and other aircraft.

(p) No airborne radar equipment shall be operated or ground tested on any Airport property where the directional beam of high intensity radar is within three hundred (300) feet, or the low intensity beam is within one hundred (100) feet of an aircraft fueling operation, aircraft mobile fueling vehicle, or aircraft fuel or flammable liquid storage facility.

(q) Aircraft mobile fueling vehicles shall be equipped with storage tanks which are sectionalized into compartments of not over two thousand (2,000) gallons capacity, or in lieu thereof shall be equipped and operated in accordance with alternate procedures approved, in writing, by the Airport Authority.

(r) No person shall vend, sell, broker, consign, or offer for sale on Airport property any petroleum fuel or lubricating product without written authorization, and a lease and/or operating permit issued by the Airport

Authority, and under the requirements of this Code and rules and regulations of the Airport Authority.

(s) No person shall dispense any petroleum fuel or lubricating product to motor vehicles and equipment, for either commercial or non-commercial purposes, without written authorization, and a lease and/or operating permit issued by the Airport Authority, and under the requirements of this Code and rules and regulations of the Airport Authority.

(t) No person shall transport onto Airport property, other than by aircraft, any fuel or lubricating product, without written authorization, and a lease and/or operating permit issued by the Airport Authority, and under the requirements of this Code and rules and regulations of the Airport Authority.

(u) No person shall transport onto Airport property, other than by aircraft, any fuel product or flammable material unless in approved containers or vehicles.

(v) Notwithstanding the above, aircraft owners shall not be denied the right to bring fuel and lubricating products onto Airport property for the purpose of self-fueling, provided the transport and distribution of the fuel and lubricating products onto Airport property for such purposes are otherwise in compliance with this code, applicable federal, state and local fire and environmental codes, and as otherwise authorized by the lessee of the premises on which such self-fueling activity occurs.

(w) The applicable standards and recommendations of the National Fire Protection Association (NFPA), as they are amended from time to time, are incorporated herein by reference."

SECTION 59. Section 9.35.580 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Common or non-exclusive use areas.

(a) No airport tenant, operator or other authorized user shall utilize a common use or non exclusive use area, including an aircraft gate position, in a manner or fashion which interferes with the use of the area by another or which departs from established and authorized procedures for the use of such area. No tenant, operator or user shall allow any condition, nor permit the conduct of any activity, which shall materially or adversely affect, infringe upon, block or interrupt the operations and business activity of other airport tenants, operators or users.

(b) No airport tenant, operator or other authorized user shall utilize a common use or non exclusive use area, including an aircraft gate position, unless properly trained and authorized personnel supplied by such tenant, operator or user are present for purposes of control and coordination during all periods of such use.

(c) Upon occupancy of any common or non exclusive use aircraft gate position, the user assumes full responsibility for compliance with Federal and local security requirements and shall be liable for all fines and penalties resulting from failure to perform or abide by the same."

SECTION 60. Section 9.35.590 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Control of vehicular traffic on the air operations area. Authority to operate on the air operations area. No person shall operate or cause to be operated any motor vehicle or equipment on the AOA unless its operational need and necessity is directly related to an aviation activity at the Airport, the business of the Airport Authority, or the business of an authorized tenant, authorized subtenant, or other authorized user or contractor of the Airport Authority."

SECTION 61. Section 9.35.600 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Operating on runways, taxiways and other protected areas.

(a) No person at Mid-Continent Airport shall, either as a pedestrian or while operating a motor vehicle or equipment, move beyond the Runway Holding Position and/or ILS Critical Area Holding Position markings of a runway other than as specified in the Airport Standard Operating Procedures, or as may subsequently be required by regulations, and without first having received an appropriate clearance to do so by the Air Traffic Control Tower. Movement upon and across runways and taxiways shall be made as expeditiously as practical.

(b) Other than an employee or agent of the Airport Authority or the FAA conducting official business, no person at Mid-Continent Airport shall, either as a pedestrian or while operating a motor vehicle or equipment, access, move or operate upon an active movement area,

including runways and taxiways, without the prior authorization of the Wichita Airport Authority and only after receiving appropriate documented training from the Airport Authority in accordance with 14 CFR Part 139 and Airport Standard Operating Procedures.

(c) No person at Col. James Jabara Airport shall, either as a pedestrian or operating a motor vehicle or equipment, move beyond the Runway Holding Position markings of a runway, or closer to a taxiway than specified in the Airport Standard Operating Procedures, or as may subsequently be required by regulations, without first determining that no aircraft are on, approaching or departing, and transmitting his or her intentions on the appropriate common traffic advisory frequency (CTAF). Movement on and across runways and taxiways shall be made as expeditiously as practical.

(d) No person at Col. James Jabara Airport shall, either as a pedestrian or operating a motor vehicle or equipment, operate over, across, upon or points in-between the Runway, or Taxiways A, A1, A2 between A and the Runway, A3 between A and the Runway, A4, A5, or A7 without the prior authorization of the Airport Authority, and only after the successful completion of appropriate training and certification as required by Standard Operating Procedures.

(e) Other than an employee or agent of the Wichita Airport Authority or the FAA conducting official business, no person at Col. James Jabara Airport shall, either as a pedestrian or while operating a motor vehicle or

equipment, operate over, across, upon or points in-between the Runway, or Taxiways A, A1, A2 between A and the Runway, A3 between A and the Runway, A4, A5, or A7 without the prior authorization of the Wichita Airport Authority and only after receiving appropriate documented training from the Airport Authority."

SECTION 62. Section 9.35.610 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Operations near aircraft.

(a) No person, other than the operator of an aircraft service or support vehicle, actively servicing an aircraft, shall operate a motor vehicle at an airport so as to pass within twenty (20) feet of a parked aircraft, or contrary to any of the distance requirements specified in the Standard Operating Procedures. In the case of an aircraft being loaded or unloaded at ground level on the Mid-Continent Airport Commercial Passenger Terminal apron, no vehicle shall be operated between said aircraft and the terminal concourses while passengers are enplaning or deplaning;

(b) No motor vehicle shall pass under any portion of a passenger loading bridge except those required for servicing the aircraft or the passenger loading bridge;

(c) No motor vehicle shall pass under any portion of a parked aircraft except those required for servicing the aircraft."

SECTION 63. Section 9.35.620 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Two-way radio requirements.

(a) No person, other than a person holding a valid, current and appropriate airman’s certificate or mechanic properly trained and qualified and operating an aircraft, shall be permitted to operate and otherwise engage in two-way radio communications with the ATCT on Mid-Continent Airport without the prior authorization of the Airport Authority. Other than persons holding a valid, current and appropriate airman’s certificate or mechanic properly trained and qualified and operating an aircraft, two-way radio communications with the ATCT on Mid-Continent Airport is reserved for designated and authorized employees and contractors of the Airport Authority and Federal Aviation Administration trained and authorized to engage in such activities in the discharge of official duties on the AOA of Mid-Continent Airport.

(b) The authorized operator of a vehicle desiring clearance to operate upon or across a runway or taxiway at Mid-Continent Airport shall, in advance, by direct two-way radio communications with the ATCT, request and receive an appropriate clearance to operate upon or across such movement area, and continuously maintain such communication and follow the lawful clearances, directives and instructions issued by the ATCT until clear of the movement area. In the event a two-way radio is inoperable or unavailable, persons shall operate such vehicles only under the escort of an authorized motor vehicle and operator equipped with a two-way radio in communications and under the clearance of the ATCT.

This requirement shall not apply to operators of vehicles authorized by the Airport Authority to receive pre-established visual signals or clearances, or to operators of vehicles following approved pre-established special procedures in accordance with a current letter-of-agreement with the Federal Aviation Administration."

SECTION 64. Section 9.35.630 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Motor vehicle identification and ramp permits.

(a) No person shall operate a motor vehicle on the AOA of Mid-Continent Airport not displaying an official company name and/or logo, or Airport Authority issued vehicle ramp permit issued pursuant to and in accordance with the Airport Security Plan, and without the permit conspicuously displayed on the vehicle.

(b) Company-owned or tenant sponsored vehicles or authorized personal vehicles must hold and properly display an Airport Authority issued vehicle ramp permit when operating on the AOA, or be under escort by an authorized person and motor vehicle meeting the requirements of this Section.

(c) A vehicle ramp permit may be issued for motor vehicles having an operational need and necessity by the Airport Authority to operate on the AOA at Mid-Continent Airport on a regular and continuing basis, and may be renewed annually, semi-annually, or for such other period as may be

determined by the Airport Authority in accordance with federal regulations.

(d) Vehicle ramp permits shall be prominently displayed in such location on the motor vehicle as designated by the Airport Authority. The operator of a motor vehicle for which a vehicle ramp permit has been issued shall at all times comply with the terms of the permit as established by the Airport Authority.

(e) Temporary vehicle ramp permits may be issued for temporary or limited access for motor vehicles used on the AOA of Mid-Continent Airport for contractors and others engaged in construction or other activities as approved by the Airport Authority.

(f) Temporary vehicle ramp permits shall be prominently displayed in such location on the motor vehicle as designated by the Airport Authority. The operator of a motor vehicle for which a temporary vehicle ramp permit has been issued shall at all times comply with the terms of the permit as established by the Airport Authority.

(g) Unless operating within a pre-authorized designated construction area, any motor vehicle bearing a temporary vehicle ramp permit shall, at all times, while on the AOA, remain under control and escort by a person and motor vehicle meeting the requirements of this Section, unless otherwise authorized by the Airport Authority.

(h) A temporary vehicle ramp permit may be issued for a limited pre-authorized designated area and time for motor vehicles which require

occasional or ‘one-time’ access to a specific location on the AOA of Mid-Continent Airport. Temporary vehicle ramp permits shall be issued at the discretion of the Airport Authority, and shall be valid only for the length of time indicated on the permit. Temporary vehicle ramp permits shall be returned to the Airport Authority on or prior to the expiration of the time indicated on the permit.

(i) All vehicle ramp permits shall remain the property of the Airport Authority, and are not transferable.

(j) Lost or stolen vehicle ramp permits shall be immediately reported to the Airport Police and Fire Division.

(k) Vehicle ramp permits are issued to individuals holding current, valid and appropriate Airport Authority issued I.D. media and may only be used by the authorized individual. Vehicle ramp permits shall not be loaned, transferred or assigned to other persons.

(l) Motorized equipment not considered ‘motor vehicles,’ including but not limited to maintenance and construction equipment, tugs, belt loaders, tractors, and snow removal equipment shall be exempt from the requirements of this Section.”

SECTION 65. Section 9.35.640 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Driver’s license. No person shall operate a motor vehicle on the AOA of an Airport, unless such individual maintains in his or her possession at all times a current valid motor vehicle driver’s license or temporary permit, with

appropriate endorsements, for the type of vehicle being operated, issued in accordance with the statutes of the State of Kansas. The operation of motorized 'equipment' not considered 'motor vehicles,' including but not limited to maintenance and construction equipment, tugs, belt loaders, tractors, and snow removal equipment shall be exempt from the requirements of this Section."

SECTION 66. Section 9.35.650 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Designated vehicular routes. No person shall operate a motor vehicle or equipment on the AOA, other than emergency vehicles responding to an emergency, or authorized Airport Authority or FAA vehicles in the performance of official duties, unless such person operates on established vehicular routes only."

SECTION 67. Section 9.35.660 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"AOA Speed limits and traffic control.

(a) No person shall operate a motor vehicle or equipment on the AOA, other than police, security, operations and emergency vehicles responding to an emergency or urgent safety or security situation, at a speed in excess of fifteen (15) miles per hour, except as otherwise posted and authorized.

(b) No person shall operate any motor vehicle or equipment on the AOA in violation of any sign, barricade, traffic barricade or other traffic control device."

SECTION 68. Section 9.35.670 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Reckless or careless driving. No person shall operate a motor vehicle or equipment on the AOA in a reckless or careless manner, so as to present a willful or wanton disregard for the safety or persons or property, or in a careless manner, which is other than in a safe, careful and prudent manner, having regard for aircraft movement, width, grade, curves, corners, traffic, weather conditions, and all other attendant circumstances, so as not to endanger the life, limb or property of any person."

SECTION 69. Section 9.35.680 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Operation of electronic devices while driving on the AOA**. No person shall operate an electronic communications device including, but not limited to cell phone, lap-top PC, iPad, iPhone, audio or video players, or BlackBerry while maneuvering a moving motor vehicle or equipment on the AOA unless it is necessary to do so due to an operational need or necessity."

SECTION 70. Section 9.35.690 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Operation or use of non-approved conveyance devices.**

(a) No person shall use, ride or drive a unicycle, go-cart, roller skates, roller blades, Segways or a skateboard, and no person shall walk, drive a motorized vehicle, ride a bicycle, or ride a horse upon any area of the

Airports made available to the public other than on roads, sidewalks, paths, trails, or rights-of-way provided for such purpose.

(b) No person shall use, ride or drive a motorcycle, bicycle, unicycle, go-cart, roller skates, roller blades, Segway, or skateboard on the AOA."

SECTION 71. Section 9.35.700 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Vehicle and equipment liability insurance requirements.** Except for governmental vehicles and equipment, no motor vehicle shall enter or be operated upon the AOA that is not covered by a current and valid liability insurance policy as required by Kansas statute or company 'umbrella' policy written by a company authorized and licensed by the State of Kansas to issue such insurance policy."

SECTION 72. Section 9.35.710 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Vehicle and equipment condition and safety requirements. No person shall operate a motor vehicle or equipment on the AOA unless such motor vehicle or equipment is in good operating condition and repair for a unit of its type, and is equipped as required by applicable local, State and/or Federal law."

SECTION 73. Section 9.35.720 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Minimum vehicle and equipment requirements for operation on the AOA and movement areas**.

(a) All motor vehicles and equipment operated on the AOA shall be in good, safe, working order.

(b) When operating on the AOA motor vehicles and equipment shall be equipped with and have operating the following systems and auxiliary equipment:

(1) Headlights;

(2) Mobile refueling vehicles – front, side and tail clearance lights.

(b) When operating on movement areas, Airport Authority approved amber-colored beacon warning lights, certified SAE Type I or II, of rotating, strobe, halogen or LED type.

(c) Only security, law enforcement or emergency vehicles shall be equipped with and display red and/or blue warning lights."

SECTION 74. Section 9.35.730 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Night and low visibility operations.**

(a) For night (sunset to half an hour before sunrise) and low visibility conditions (visibility less than one thousand feet), all headlights, taillights (or reflectors) and running or clearance lights on motor vehicles and equipment operating on the AOA shall be functionally operable.

(b) For night (sunset to half an hour before sunrise) and low visibility conditions (visibility less than one thousand feet), all motor vehicles and equipment shall operate headlights and clearance lights while operating on the AOA.

(c) For night (sunset to half an hour before sunrise) and low visibility conditions (visibility less than one thousand feet), all vehicles and motorized equipment, equipped with amber warning beacons, shall operate such warning beacon while operating on the AOA."

SECTION 75. Section 9.35.740 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Radio/wireless communications systems**. The Airport Authority retains the sole and exclusive right to approve or withhold approval of any installation or use of systems for the transmission of radio frequency signals on the Airport property. Revenue producing communication systems or systems not directly applicable to a tenant's primary operation on Airport property are prohibited except upon the specific approval of the Director."

SECTION 76. Section 9.35.760 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Emergency vehicles. Any person operating a motor vehicle or equipment on the AOA shall immediately stop and yield the right-of-way upon the approach of law enforcement, security, medical, firefighting and rescue, airport operations, or other vehicles responding to an emergency and giving an audible and/or visual warning signal, until emergency vehicles have stopped or passed, unless otherwise directed by a law enforcement officer, Airport Police and Fire Officer, or other authorized representative of the Director of Airports."

SECTION 77. Section 9.35.760 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Occupants of motor vehicles. No person shall, while on Airport property, ride on the running board of a moving motor vehicle, stand up in the body of a moving vehicle, ride on the outside of the body of a moving motor vehicle, or ride on such a vehicle with his arms or legs protruding from the body of the vehicle, unless required to do so in the performance of his duties."

SECTION 78. Section 9.35.770 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Traffic control. Persons operating motor vehicles or equipment on the AOA shall obey all posted regulatory signs, special signs, pavement markings and traffic signals, and all instructions by ATCT, authorized employees, agents, and Airport Police and Fire Officers."

SECTION 79. Section 9.35.780 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Parking.

(a) No person shall park a motor vehicle or equipment on the AOA in areas other than those designated or authorized by the Airport Authority, and in no manner contrary to any posted regulatory signs, traffic-control devices or pavement markings.

(b) No person shall park a motor vehicle or equipment on the AOA as to interfere with the access, ingress or egress to a facility, leasehold, or common-use area used by others, or prevent the passage or movement of aircraft, emergency vehicles, snow removal equipment, or motor vehicles.

(c) No person shall park a motor vehicle or equipment under passenger loading bridges, blocking access to any passenger loading bridge or blocking a passenger walkway.

(d) No person shall park a motor vehicle or equipment blocking access to any fire hydrant.

(e) No person shall park a motor vehicle or equipment blocking access to any terminal door, emergency access or baggage handling area.

(f) No person shall park a motor vehicle or equipment blocking an aircraft parking position, aircraft taxi-lane or vehicle driving lane.

(g) No person shall park a motor vehicle or equipment on the AOA in such a manner as to interfere with or prevent an aircraft fueling vehicle from being readily driven away from such aircraft in the event of an emergency."

SECTION 80. Section 9.35.790 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Motor vehicle accidents.

(a) Any person operating a motor vehicle or equipment on the AOA which is involved in an accident resulting in injury to any person or damage to any property shall:

(1) Immediately stop such vehicle or equipment at the scene of such accident or as close thereto as possible;

(2) Notify the Airport Police and Fire Division; and

(3) Return to and/or remain at the scene of the accident until Airport Police and Fire personnel have arrived at the scene. Vehicle(s) involved in the accident shall be stopped and parked so as to minimize any obstructions to aircraft and other vehicles.

(b) Any person operating a motor vehicle or equipment on the AOA which is involved in an accident, and the owner of such vehicle or equipment, if other than the operator, shall make a full report of such accident to the Airport Police and Fire Division, including the names and addresses of the individuals involved, the registration and license number of the vehicle or vehicles involved, names and addresses of witnesses to the incident, and such other information relevant to the accident upon request of any Airport Police and Fire Officer investigating the accident. The operator of any motor vehicle or equipment involved in such accident shall, upon request, exhibit such licenses, registration or other documents relevant to such accident or the persons or property involved to any Airport Police and Fire Officer investigating the accident.

(c) In the event an Airport Police and Fire Officer investigating an accident has reason to believe that a mechanical failure in a vehicle or equipment involved in the accident was or may have contributed to the cause of such accident, the Airport Police and Fire Officer may temporarily impound such vehicle or equipment until such time that a mechanical failure can be ruled out as causing or contributing to the cause of the accident."

SECTION 81. Section 9.35.800 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Contractor's access and operations on the air operations area. Ingress and egress from designated construction sites located on the AOA by motor vehicles and equipment belonging to or under the supervision of an authorized contractor, shall be made only by designated routes, gates, and at such times as may be established or approved by the Airport Authority. Construction equipment shall be operated and stored in accordance with procedures established or approved by the Airport Authority."

SECTION 82. Section 9.35.810 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Denial of departure. The Director may prohibit any aircraft from starting, taxiing, operating upon or departing from an Airport at any time, under any known circumstances, which in the judgment of the Director, may result in a safety or security hazard to persons or property on or off Airport property, or may violate local, State or Federal laws or regulations with the exception of federal laws under the exclusive jurisdiction and pre-emptive authority of a federal agency.

Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 83. Section 9.35.820 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Tampering with aircraft. No person shall interfere or tamper with any aircraft on Airport property, or put in motion such aircraft, or use or remove any aircraft, aircraft parts, instruments or auxiliary systems without positive evidence of ownership, or evidence of the owner's approval.

Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 84. Section 9.35.830 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Interference with aircraft or flight or cabin crew operations.

(a) No person while a passenger aboard an aircraft at an Airport shall disturb, interrupt or otherwise interfere with:

(1) The enplanement or deplanement of aircraft passengers;

(2) The departure or arrival of any aircraft; or

(3) Any member of a flight or cabin crew aboard an aircraft in the performance of his/her duties.

(b) No person, while a passenger aboard an aircraft at an Airport, shall refuse or fail to comply with the lawful directives of any flight or cabin crew member, or to observe and obey Federal regulations relating to the safety and security of passengers or aircraft. While aboard an aircraft at an Airport, failure to comply with the lawful directives of any flight or cabin crewmember, or to observe and obey Federal regulations relating to the

safety and security of passengers or aircraft, shall constitute a disturbance, interruption, or interference with a member of a flight or cabin crew in performance of his or her duties.

(c) No person shall, while a passenger aboard an aircraft at an Airport, refuse to leave such aircraft when so directed by a flight or cabin crew member, an agent or representative of the owner or operator thereof, when such person has committed an act which is a breach of his or her contract of carriage under the terms and conditions set out in the air carrier's tariffs. Such acts shall include, but shall not be limited to: violations of the Federal Aviation Administration Regulations concerning fastening seat belts, observance of no smoking signs, placement of luggage, consumption of alcoholic beverages, intoxication, and obstruction of aisles and exits.

(d) No person shall, while a passenger aboard an aircraft at an Airport, assault, intimidate, threaten, or harass any other person, or commit any act which is defined by local, State or Federal law as a breach of the peace, an act of intimidation, or a threat against any other person.

(e) No person shall, while a passenger aboard an aircraft at an Airport, refuse to leave such aircraft when so directed by a flight or cabin crew member, an agent or representative of the owner or operator thereof, when such person has committed an act aboard the aircraft which is defined by local, State, or Federal law as an assault, a breach of the peace, an act of intimidation, or a threat against any other person.

(f) Any person violating any provision of this Section of the Code is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred ($500) and/or an imprisonment of not more than six (6) months and/or both such fine and imprisonment."

SECTION 85. Section 9.35.840 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Inspection of certification.

Any person who holds an airman certificate, medical certificate, or authorization must present it for inspection upon request of any commissioned law enforcement officer of the Wichita Police Department or Airport Police and Fire Division."

SECTION 86. Section 9.35.850 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Waiver by the Director of Airports for Governmental Operations.

Notwithstanding any provisions, requirements or prohibitions set forth in this Chapter, the Director shall have the authority to waive any such provisions, requirements, or prohibition for any military branch of the United States Armed Forces operating on any Airport property to operate thereon in accordance with governmental requirements applicable to such operations, so long as such waiver(s) are not in violation of federal law or regulation, and such waiver(s) would not impose an unreasonable hazard or risk to the health, welfare and safety of the flying and general public."

SECTION 87. Section 9.35.860 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"**Penalties.**

(a) Any person who violates the provisions of this Chapter is guilty of a misdemeanor.

(b) Every person who is convicted of violating the provisions of this Chapter may be punished by a fine of not more than five hundred dollars ($500.00) for each violation of this Chapter.

(c) In addition to the penalties set forth in this Section, if the violator is authorized to access Secured Area, AOA, SIDA, Sterile area or other restricted areas of the Airport, the Director may revoke or suspend the violator's access and identification media and access to the Secured Area, ASOA, SIDA, Sterile area or other restricted areas of the Airport."

SECTION 88. Chapters 9.20 and 9.22 of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 89. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this _____ day of _____, 2012.

_____
Carl Brewer, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

Approved as to Form:

_____

Gary E. Rebenstorf
Director of Law